

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

First Named Inventor: Andreas MENNE

Art Unit: 3768

Application No.: 10/510,492

Examiner: Salieu M. Abraham

Filed: May 23, 2005

Confirmation No.: 1537

For: MEDICAL DEVICE FOR THE TREATMENT
OF BIOLOGICAL TISSUE

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STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Statement of Substance of Interview is submitted in response to the Examiner's Interview Summary dated May 13, 2009, and to provide documentation of an April 29, 2009 Telephone Interview between Examiners Salieu M. Abraham and Long Le and the Applicants' representatives, Michael A. Minter and David R. Schaffer, regarding an Office Action dated October 7, 2008 and an Amendment Accompanying RCE, dated April 7, 2009. The substance of the interview is reflected accurately in the Examiner's Interview Summary dated May 13, 2009.

(A) Exhibit(s) shown or demonstration conducted: None.

(B) Claims discussed: 1, 13, and 17.

(C) Prior art discussed: Dory (US 4,727,875) and Favre (US 5,160,336).

(D) Proposed amendments of a substantive nature discussed not already described on an Interview Summary form completed by the examiner: None.

(E) General thrust of the principal arguments of the applicant: Certain aspects of Applicants' claimed invention distinguish patentably over the applied reference.

(F) General indication of any other pertinent matters discussed: N/A

(G) General results or outcome of the interview: The Office concurred that the limitations in the new and amended claims would appear to overcome the applied art and further prosecution would take this into account.

(H) Was interview via electronic mail, if so, a paper copy of the Internet e-mail contents is attached hereto: N/A

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T4494-16088US01) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

Date: May 19, 2009

By:



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